

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

TONY MUTSCHLER, :
: Plaintiff, :
: :
v. : No.: 3:16-CV-327
: :
CORRECTIONAL OFFICER CORBY, : (Judge Brann)
: :
Defendant. :
:

ORDER

AND NOW, this 6th day of September 2017, in accordance with the accompanying Memorandum, **IT IS HEREBY ORDERED** that:

1. Defendant Corby's motion to dismiss (Doc. 25) is **PARTIALLY GRANTED**.
2. Dismissal is **GRANTED** in favor of the John Doe Defendants.
3. The motion to dismiss the excessive force claim against Remaining Defendant Corby is **DENIED**.
4. Remaining Defendant Corby shall file a response to the Complaint within twenty-one (21) days of the date of this Order.

BY THE COURT:

s/ Matthew W. Brann
Matthew W. Brann
United States District Judge